

European Chemicals Agency

Opinion on the Application for Union Authorisation of the Same Biocidal Product under Article 6 of Commission Implementing Regulation (EU) No. 414/2013

Opinion number: UBP-C-1610525-31-00/F

Date: 19/09/2022

Name of the product family	Sure Lactic Family
Authorisation holder	Diversey Europe Operations B.V.
Active substance common name	L-(+)-lactic acid
Product types	PT 3,PT 2,PT 4
Name of the related reference product family	SALVECO SALVESAFE PRODUCTS
BPC Opinion number of the related reference product	ECHA/BPC/346/2022

The European Chemicals Agency ("ECHA"), in accordance with Article 6 of Commission Implementing Regulation (EU) No 414/2013¹, has evaluated the application for Union authorisation of Sure Lactic Family.

The application for Union authorisation was submitted to ECHA on 30/04/2019 in accordance with Article 4 of Commission Implementing Regulation (EU) No 414/2013 and recorded in R4BP3 under case number BC-EM051406-41.

Following its acceptance by ECHA, the validation of the application was initiated on 21/06/2019.

The application was subsequently validated on 04/07/2019 following ECHA's conclusion that the information indicated in Article 2 of Commission Implementing Regulation (EU) No 414/2013 had been submitted.

The validation included a check that the proposed differences between Sure Lactic Family and the SALVECO SALVESAFE PRODUCTS are limited to information which can be the subject of an administrative change in accordance with Implementing Regulation (EU) No 354/2013².

Following the adoption of the BPC opinion of the related reference product and the subsequent submission of a revised version of the draft SPC of Sure Lactic Family, ECHA confirmed again that all differences between Sure Lactic Family and the related reference product are limited to information which can be the subject of an administrative change in accordance with Implementing Regulation (EU) No 354/2013.

The evaluation was based on the information provided by the applicant in relation to the related reference product.

In accordance with Article 6 of Commission Implementing Regulation (EU) No 414/2013, ECHA's

¹ Commission Implementing Regulation (EU) No 414/2013 of 6 May 2013 specifying a procedure for authorisation of same biocidal products in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council

² Commission Implementing Regulation (EU) No 354/2013 of 18 April 2013 on changes of biocidal products authorised in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council.

opinion is set out below.

Detailed opinion and background

1. Overall conclusion

The overall conclusion of ECHA's opinion is that Sure Lactic Family is eligible for Union authorisation, and all reported differences between Sure Lactic Family and the related reference product are limited to information which can be the subject of an administrative change in accordance with Implementing Regulation (EU) No 354/2013.

The biocidal product family Sure Lactic Family, as defined in Article 3(1)(s) of Regulation (EU) No 528/2012, meets the conditions laid down in Article 19(1) of that Regulation and, therefore may be authorised for the uses specified in this opinion. The detailed grounds for the overall conclusion are described in the Product Assessment Report ("PAR") of the related reference product.

A draft summary of product characteristics ("SPC") of Sure Lactic Family, as referred to in Article 22(2) of Regulation (EU) No 528/2012, is attached as an annex.

2. ECHA opinion

2.1. Conclusions of the evaluation

The conclusions of the risk assessment for Sure Lactic Family are based on the evaluation of the related reference product and described in BPC opinion ECHA/BPC/346/2022 on 15 June 2022.

2.2. Presentation of the Product family including classification and labelling

The description of Sure Lactic Family and the hazard and precautionary statements according to Regulation (EC) 1272/2008 are available in the SPC, see annex to this opinion.

2.3. Description of uses proposed to be authorised

The assessment supporting the intended uses in the application is described in the PAR of the related reference product.

The description of the intended uses proposed to be authorised is available in the SPC, see annex to this opinion.

2.4. Overall conclusion of the evaluation of the uses proposed to be authorised

For the use(s) proposed to be authorised, according to Article 19(1)(b) of Regulation (EU) No 528/2012, it has been concluded that Sure Lactic Family:

1. is sufficiently effective;
2. has no unacceptable effects on the target organisms, in particular unacceptable resistance or cross-resistance or unnecessary suffering and pain for vertebrates;
3. has no immediate or delayed unacceptable effects itself, or as a result of its residues, on the health of humans, including that of vulnerable groups, or animals, directly or through drinking water, food, feed, air, or through other indirect effects;
4. has no unacceptable effects itself, or because of its residues, on the environment, having particular regard to the following considerations:
 - the fate and distribution of the biocidal product in the environment,
 - contamination of surface waters (including estuarial and seawater), groundwater and drinking water, air and soil, taking into account locations distant from its use following long-range environmental transportation,
 - the impact of the biocidal product on non-target organisms,

- the impact of the biocidal product on biodiversity and the ecosystem.

Therefore, it is proposed that Sure Lactic Family shall be authorised³ for the uses described under section 2.3 of this opinion, subject to compliance with the proposed SPC.

Annex I: draft Summary of Product Characteristics

³ This is without prejudice of any specific conditions that might apply in the territory of Member State(s) in accordance with Article 44(5) of Regulation (EU) No 528/2012.